

**To:** Albright, David[Albright.David@epa.gov]  
**From:** Torres, Tomas  
**Sent:** Tue 11/21/2017 7:47:45 PM  
**Subject:** Fwd: Excelsior UIC

Tomás Torres

Sent from my iPhone

Begin forwarded message:

**From:** "Consoli, Carla" <CConsoli@lrrc.com>  
**Date:** November 21, 2017 at 9:56:24 AM PST  
**To:** "Torres, Tomas" <Torres.Tomas@epa.gov>  
**Subject:** RE: Excelsior UIC

Hello!

Thank you for connecting Rich and me. We are playing a bit of “tag” but I am hopeful we will connect this afternoon. Given that he is described as looking into the FOIA issues, I would like to circle back to the idea of having a meeting in the very near term. Are you and David amenable to such a meeting? And when might your calendars accommodate such a meeting?

Thank you,

Carla.

**Carla A. Consoli**  
Partner  
602.262.5347 office

602.734.3896 fax  
[cconsoli@lrrc.com](mailto:cconsoli@lrrc.com)

<http://www.lrrc.com/Carla-Consoli>



Lewis Roca Rothgerber Christie LLP  
201 East Washington Street, Suite 1200  
Phoenix, Arizona 85004-2595  
[lrrc.com](http://lrrc.com)

**From:** Torres, Tomas [<mailto:Torres.Tomas@epa.gov>]  
**Sent:** Monday, November 20, 2017 5:31 PM  
**To:** Consoli, Carla  
**Subject:** RE: Excelsior UIC

Hi Carla,

Richard Campbell of our Regional Council is looking into the FOIA issues for me and should be contacting you soon as well as the scope of the potential technical meeting. If you don't hear back by the end of this short week, please let me know and I will follow-up.

Regards,

Tomás Torres

**From:** Consoli, Carla [<mailto:CConsoli@lrrc.com>]  
**Sent:** Monday, November 20, 2017 10:37 AM

**To:** Torres, Tomas <Torres.Tomas@epa.gov>  
**Subject:** Excelsior UIC

Tomas-

Thank you for your time on Friday. I look forward to hearing what you learn about how Excelsior as the applicant can obtain timely information and whether a FOIA request can be filed in a manner that makes it self-renewing. I would prefer not to be required to file a request every week.

During our call we discussed the FOIA request Excelsior filed and the response to date. Below I have copied Nancy's email exchange with Mr. Peter Dronkers. Attached is a copy of Mr. Dronkers' letter which he provided. I do not see anything in the letter which meets the standard required for exemption to the public records doctrine.

Excelsior would like to schedule a technical meeting to include ADEQ, Excelsior and EPA, including you and David Albright in addition to Ms. Rumrill and Mr. Walker. Excelsior would like this meeting scheduled in the next week or two, certainly prior to the end of the comment period. Please let me know how best to begin setting up such a meeting.

Regards,

Carla

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From: Rumrill, Nancy

Sent: Thursday, November 16, 5:19 PM

Subject: RE: Your voicemail

To: Pete Dronkers

Cc: Albright, David, Johnson, AudreyL, Stephen Twyerould

Hi Pete,

Sending a curtesy copy (cc) to Excelsior would be appreciated.

Thanks, Nancy

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Nancy Rumrill ([rumrill.nancy@epa.gov](mailto:rumrill.nancy@epa.gov))

*Drinking Water Protection Section (WTR-3-2)*

*US EPA, Region IX*

*75 Hawthorne St.*

*San Francisco, CA 94105*

*Phone (415) 972-3293*

**From:** Pete Dronkers [<mailto:pdronkers@earthworksaction.org>]

**Sent:** Thursday, November 16, 2017 2:12 PM

**To:** Rumrill, Nancy <[Rumrill.Nancy@epa.gov](mailto:Rumrill.Nancy@epa.gov)>; Stephen Twyerould <[stwyerould@excelsiormining.com](mailto:stwyerould@excelsiormining.com)>

**Subject:** Your voicemail

Hi Nancy and Stephen,

I am not clear on what you were asking for, Nancy, via your voicemail, but it sounded like Excelsior FOIA'd EPA for our extension request letter and you were hoping I would provide them directly with a copy to avoid the hassle of having to issue a redacted copy?

Happy to do what's needed if you can clarify.

Also, Stephen, you can feel free to ask me directly for such things.

Thanks!

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